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A Law Corporation

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Attorney for Plaintiff  
ATLANTIC PACIFIC INTERNATIONAL, INC.

IN THE UNITED STATES DISTRICT CIRCUIT

FOR THE DISTRICT OF HAWAII

ATLANTIC PACIFIC	)	Civil No. CV02 00711 HG LEK
INTERNATIONAL, INC. a Hawaii	)	(Contract)
Corporation,	)	
	)	<b>STIPULATION FOR DISMISSAL</b>
Plaintiff,	)	<b>WITHOUT PREJUDICE</b>
vs.	)	
	)	
FLEMING COMPANIES, INC.	)	
an Oklahoma corporation; DOE	)	
HAWAII RETAILERS 1-4; DOE	)	
OCEAN CARRIERS 1-2; DOE	)	
MAINLAND VENDORS 1-1,000;	)	No Trial Date Set
DOES 1-100,	)	
	)	
Defendants.	)	
	)	

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**STIPULATION FOR DISMISSAL WITHOUT PREJUDICE**

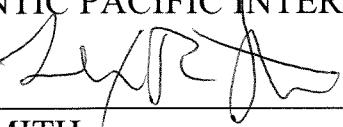
IT IS HEREBY STIPULATED by and between Plaintiff ATLANTIC  
PACIFIC INTERNATIONAL, INC. and Defendant FLEMING COMPANIES,

INC., by and through their respective counsel, that the Complaint filed herein by Plaintiff on October 2, 2002.

This stipulation for dismissal is based on Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure and has been signed by counsel for all parties who have made an appearance in this action. The trial date has not been set. Each party agrees to bear their own attorneys' fees and costs in regard to this matter. There are no remaining claims, counterclaims or parties.

**APPROVED AND AGREED TO:**

  
\_\_\_\_\_  
TIMOTHY J. HOGAN  
Attorney for Plaintiff  
ATLANTIC PACIFIC INTERNATIONAL, INC.

  
\_\_\_\_\_  
LEX SMITH  
Attorney for Defendant  
FLEMING COMPANIES, INC.

**SO ORDERED:**

DATED: Honolulu, Hawai'i, \_\_\_\_\_.

\_\_\_\_\_  
United States District Court Judge

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*Atlantic Pacific International, Inc. v. Fleming Companies, Inc., et al., Civ. No. CVC02 00711 HG LEK, in the United States District Court for the District of Hawaii; STIPULATION FOR DISMISSAL WITHOUT PREJUDICE*